

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6221**

OFFERED BY _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Improving Veterans’
3 Opportunity in Education and Business Act of 2008”.

4 SEC. 2. CONTRACTING GOALS AND PREFERENCES FOR VET-

5 ERAN-OWNED SMALL BUSINESS CONCERNS.

6 Section 8127 of title 38, United States Code, is
7 amended—

8 (1) by redesignating subsections (j) and (k) as
9 subsections (k) and (l), respectively; and

10 (2) by inserting after subsection (i) the fol-
11 lowing:

12 “(j) **APPLICABILITY OF REQUIREMENTS TO CON-**
13 **TRACTS.**—(1) If the Secretary enters, on or after June
14 1, 2007, into a contract, memorandum of understanding,
15 agreement, or other arrangement with any governmental
16 entity or person to acquire goods or services, or both, the
17 Secretary shall include in such contract, memorandum,
18 agreement, or other arrangement a requirement that the

1 entity or person will comply with the provisions of this
2 section in acquiring such goods or services, or both.

3 “(2) COORDINATION.—The Secretary shall take such
4 action as may be necessary to ensure that the efforts to
5 comply with this section of the Department and govern-
6 mental entities and persons to which paragraph (1) apply
7 are coordinated.

8 “(3) The Secretary shall modify contracts, memoran-
9 dums of understanding, agreements, and other arrange-
10 ments of the Department in effect on the date of enact-
11 ment of the Improving Veterans’ Opportunity in Edu-
12 cation and Business Act of 2008 to comply with this sub-
13 section.”.

14 **SEC. 3. FIVE-YEAR PILOT PROGRAM FOR ON-CAMPUS**
15 **WORK-STUDY POSITIONS.**

16 (a) ESTABLISHMENT OF PILOT PROGRAM.—The Sec-
17 retary of Veterans Affairs shall conduct a five-year pilot
18 project to test the feasibility and advisability of expanding
19 the scope of qualifying work-study activities for purposes
20 of section 3485(a)(4) of title 38, United States Code, in-
21 cluding work-study positions available on site at edu-
22 cational institutions.

23 (b) TYPE OF WORK-STUDY POSITIONS.—The work-
24 study positions referred to in subsection (a) may include
25 positions in academic departments (including positions as

1 tutors or research, teaching, and lab assistants) and in
2 student services (including positions in career centers and
3 financial aid, campus orientation, cashiers, admissions,
4 records, and registration offices).

5 (c) REGULATIONS.—The Secretary shall issue regula-
6 tions to carry out the pilot project under this section, in-
7 cluding regulations providing for the supervision of work-
8 study positions referred to in subsection (a) by appropriate
9 personnel of the Department.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary
12 \$10,000,000 for each of fiscal years 2009 through 2013
13 to carry out the pilot project under this section.

14 (e) FUNDING.—Notwithstanding any other provision
15 of law and for purposes of the Balanced Budget and
16 Emergency Deficit Control Act, this section shall not be
17 carried out with direct spending under title 38, United
18 States Code. Instead, no funds shall be obligated for the
19 purpose of carrying out this section except funds appro-
20 priated specifically for the purpose of carrying out this
21 section in appropriation Acts enacted after the date of the
22 enactment of this Act.

1 **SEC. 4. MILITARY OCCUPATIONAL SPECIALTY TRANSITION**
2 **(MOST) PROGRAM.**

3 (a) IN GENERAL.—Subchapter II of chapter 36 of
4 title 38, United States Code, is amended by inserting after
5 section 3687 the following new section:

6 **“SEC. 3687A. MILITARY OCCUPATIONAL SPECIALTY TRANSI-**
7 **TION (MOST) PROGRAM.**

8 “(a) ESTABLISHMENT; ELIGIBILITY.—

9 “(1) IN GENERAL.—Subject to the availability
10 of appropriations, the Secretary shall carry out a
11 program of training to provide eligible veterans with
12 skills relevant to the job market.

13 “(2) ELIGIBLE VETERAN.—For purposes of this
14 section, the term ‘eligible veteran’ means any vet-
15 eran if—

16 “(A) such veteran’s military occupational
17 specialty at the time of discharge is determined
18 by the Secretary to have limited transferability
19 to the civilian job market;

20 “(B) such veteran is not otherwise eligible
21 for education or training services under this
22 title;

23 “(C) such veteran has not acquired a mar-
24 ketable skill since leaving military service;

1 “(D) such veteran was discharged under
2 conditions not less than general under honor-
3 able conditions; and

4 “(E)(i) such veteran has been unemployed
5 for at least 90 of the 180 days preceding the
6 date of application for the program established
7 under this section; or

8 “(ii) the maximum hourly rate of pay of
9 such veteran during such 180-day period is not
10 more than 150 percent of the Federal minimum
11 wage.

12 “(b) MOST PROGRAM.—The program established
13 under this section shall provide for payments to employers
14 who provide for eligible veterans a program of apprentice-
15 ship or on-the-job training if—

16 “(1) such program is approved as provided in
17 clause (1) or (2) of section 3687(a) of this title;

18 “(2) the rate of pay for veterans participating
19 in the program is not less than the rate of pay for
20 non-veterans in similar jobs; and

21 “(3) the Secretary reasonably expects that—

22 “(A) the veteran will be qualified for em-
23 ployment in that field upon completion of train-
24 ing; and

1 “(B) the employer providing the program
2 will hire the veteran at the completion of train-
3 ing.

4 “(c) PAYMENTS TO EMPLOYERS.—

5 “(1) IN GENERAL.—Subject to the availability
6 of appropriations, the Secretary shall enter into con-
7 tracts with employers to provide programs of ap-
8 prenticeship or on-the-job training which meet the
9 requirements of this section. Such contract shall pro-
10 vide for the payment of the amounts described in
11 subsection (b) to employers whose programs meet
12 such requirements.

13 “(2) AMOUNT OF PAYMENTS.—The amount
14 paid under this section with respect to any eligible
15 veteran for any period shall be 50 percent of the
16 wages paid by the employer to such veteran for such
17 period. Wages shall be calculated on an hourly basis.

18 “(3) AMOUNT AND DURATION OF PAYMENTS.—

19 “(A) IN GENERAL.—Except as provided in
20 subparagraph (B)—

21 “(i) the amount paid under this sec-
22 tion with respect to a veteran participating
23 in the program established under this sec-
24 tion may not exceed \$20,000 in the aggre-
25 gate and \$1,666.67 per month;

1 “(ii) such payments may only be made
2 during the first 12 months of such vet-
3 eran’s participation in the program.

4 “(B) VETERANS PARTICIPATING ON LESS
5 THAN FULL-TIME BASIS.—In the case of a vet-
6 eran participating in the program on a less
7 than full-time basis, the Secretary may extend
8 the number of months of payments under sub-
9 paragraph (A) and proportionally adjust the
10 amount of such payments, but the maximum
11 amount paid with respect to a veteran may not
12 exceed the maximum amount of \$20,000 and
13 the maximum amount of such payments may
14 not exceed 24 months.

15 “(4) PAYMENTS MADE ON QUARTERLY BASIS.—
16 Payments under this section shall be made on a
17 quarterly basis.

18 “(5) EMPLOYER REPORT.—Each employer pro-
19 viding a program of apprenticeship or on-the-job
20 training pursuant to this section shall submit to the
21 Secretary on a quarterly basis a report certifying the
22 wages paid to eligible veterans under such program
23 (which shall be certified by the veteran as being cor-
24 rect) and containing such other information as the
25 Secretary may specify. Such report shall be sub-

1 mitted in the form and manner required by the Sec-
2 retary.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated \$60,000,000 for each of
5 fiscal years 2009 through 2018 to carry out this section.

6 “(e) REPORTING.—The Secretary shall include a de-
7 tailed description of activities carried out under this sec-
8 tion in the annual report prepared by the Veterans Bene-
9 fits Administration.

10 “(f) SEPARATE ACCOUNTING.—The Department
11 shall have a separate line item in budget proposals of the
12 Department for funds to be appropriated to carry out this
13 section.”.

14 (b) CONFORMING AMENDMENTS.—(1) Subsection
15 (a)(1) of section 3034 of such title is amended by striking
16 “and 3687” and inserting “3687, and 3687A”.

17 (2) Subsections (a)(1) and (c) of section 3241 of such
18 title are each amended by striking “section 3687” and in-
19 serting “sections 3687 and 3687A”.

20 (3) Subsection (d)(1) of section 3672 of such title is
21 amended by striking “and 3687” and inserting “3687,
22 and 3687A”.

1 (4) Paragraph (3) of section 4201A(b) of such title
2 is amended by striking “section 3687” and inserting “sec-
3 tion 3687 or 3687A”.

